

JAMES E. CLARK and  
LAKEISHA CLARK

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Defendant.

No. 3:12-CV-72  
(REEVES/SHIRLEY)

his claim. The Plaintiff's evidence does not appear to provide grounds for relief from the District Court's order granting summary judgment for the Defendant. Furthermore, the Plaintiff's Motion to Alter Judgment [Doc. 47] does not affect the finality of the District Court's judgment, which was entered on March 21, 2014 and became a final judgment after the period for appealing expired, see Fed. R. App. P. 4. In this case, the appointment of counsel would be inappropriate because without any new evidence to support the Plaintiff's claim, "the chances of success are extremely slim." Lavado v. Keohane, 992 F.2d at 606.

In support of Plaintiff's Motion for Appointment of Counsel [Doc. 50], the Plaintiff filed an *in forma pauperis* application. [Doc. 51]. An *in forma pauperis* application is completed by a party, who has limited financial resources, to request the Court to waive filing fees and similar costs of a lawsuit; however, this application does not give the party the right to appointment of counsel in a civil case. While the Court is sympathetic to the Plaintiff's lack of financial resources demonstrated through the *in forma pauperis* application, this condition is not exceptional, and the Plaintiff has been able to state his allegations in this matter without counsel.

Accordingly, the Court finds that no exceptional circumstances justifying the appointment of counsel have been presented in this case, and accordingly, the Plaintiff's Motion for Appointment of Counsel [Doc. 50] is **DENIED**.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge